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14  
15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 HEIDI DORR, Individually and On Behalf of All  
Others Similarly Situated,

19 Plaintiff,

20 vs.

21 YAHOO! INC.,

22 Defendant.

Case No. C 07-1428 MJJ

23 **STIPULATION AND [PROPOSED]  
ORDER CONTINUING: (1) DEADLINE  
TO EXCHANGE INITIAL DISCLOSURES;  
(2) DEADLINE TO MEET AND CONFER  
RE SAME; (3) CASE MANAGEMENT  
CONFERENCE; AND (4) HEARING ON  
YAHOO!'S MOTION TO DISMISS**

24 Compl. Filed: March 12, 2007  
Trial Date: Not set.

25 Honorable Martin J. Jenkins

## RECITALS

The parties, through their respective counsel, hereby stipulate and agree as follows:

1. Plaintiff filed the instant action on or about March 12, 2007, and filed an amended complaint on or about May 4, 2007; and

2. Defendant Yahoo! Inc. (Yahoo!) filed a motion to dismiss several of plaintiff's causes of action on or about May 24, 2007, which is currently set for hearing on July 10, 2007; and

3. The initial case management conference in this matter is scheduled for June 26, 2007, before the hearing on Yahoo!'s motion to dismiss; and

4. The parties' joint case management statement in advance of the June 26, 2007 case management conference is due to be filed on June 19, 2007; and

5. The parties met and conferred on June 4, 2007 regarding case management issues in this matter and determined that it would be difficult to prepare a workable proposed discovery and case management plan because the case is not yet at issue. The parties cannot presently determine when the case will be at issue given that Yahoo!'s motion to dismiss is still pending, and thus are unable formulate a meaningful discovery/case management plan based thereon; and

6. Counsel for plaintiff has informed counsel for Yahoo! that they have a conflict on the date scheduled for the hearing Yahoo!'s motion to dismiss, and counsel for Yahoo! has informed counsel for plaintiff that they will be unavailable from June 27 through July 9, 2007; and

7. For the same reasons articulated in paragraph 5, *supra*, and because the parties are currently unaware of what claims will survive Yahoo!'s motion to dismiss, the parties have not been able to meaningfully meet and confer on Yahoo!'s contemplated Rule 26 disclosures; and

8. The parties herein agree that the most efficient case management plan, and the most efficient use of judicial resources under the circumstances, would be to continue the case management conference and extend the deadline for the parties to exchange initial disclosures and file a case management conference statement until after the hearing on Yahoo!'s motion to dismiss.

## STIPULATION

9. Based upon the facts set forth in paragraphs one through eight, above, and desiring to make efficient use of judicial resources, the parties hereby stipulate as follows:

1                   a)     That the hearing on Yahoo!'s motion to dismiss be continued from July 10,  
2 2007 until July 31, 2007 at 9:30 a.m., and the briefing schedule on that motion be in accordance  
3 with the July 31, 2007 hearing date;

4                   b)     That the deadline for the parties to meet and confer on their initial disclosures  
5 and joint case management conference statement be extended until August 21, 2007;

6                   c)     That the deadline for the parties to submit a joint case management  
7 conference statement be extended until September 11, 2007;

8                   d)     That the deadline for the parties to exchange initial disclosures be extended  
9 until September 11, 2007;

10                   e)     That the case management conference in this matter be extended from June  
11 26, 2007 until September 18, 2007 at 2:00 p.m.;

12                   f)     That this Stipulation, if so desired, may be executed in counterparts, each of  
13 which, when so executed, shall be deemed to be an original, and such counterparts together shall  
14 constitute one and the same instrument. The parties further agree that signatures to this Stipulation  
15 transmitted by facsimile shall have the same force and effect as original signatures.

17 DATED: June 13, 2007

REED SMITH LLP

19 By                   /s/

20                   Kirsten J. Daru  
21                   Attorneys for Defendant.  
22                   Yahoo! Inc.

22 DATED: June 13, 2007

SCHUBERT & REED LLP

24 By                   /s/

25                   Willem Jonckheer  
26                   Attorneys for Plaintiff  
27                   Heidi Dorr

## ORDER

Having considered the above-stated recitals, and good cause appearing:

IT IS ORDERED:

(1) That the hearing on Yahoo!'s motion to dismiss be continued from July 10, 2007 until July 31, 2007 at 9:30 a.m., and the briefing schedule associated with that motion be in accordance with the July 31, 2007 hearing date;

(2) That the deadline for the parties to meet and confer on their initial disclosures and joint case management conference statement be extended until August 21, 2007;

(3) That the deadline for the parties to submit a joint case management conference statement be extended until September 11, 2007;

(4) That the deadline for the parties to exchange initial disclosures be extended until September 11, 2007.

(5) That the case management conference in this matter be extended from June 26, 2007 until September 18, 2007 at 2:00 p.m.

IT SO ORDERED.

Dated: 6/18/2007

*Martin J. Jenkins*  
Judge of the United States District Court